

REMARKS/ARGUMENTS

Upon entry of the present amendment, claims 1, 6-10, 12-30, 32-43, 48-52, 54-64, 69-73 and 75-89 are pending in this application and presented for examination. Claims 1, 30, 32, 43, 64 and 88 are currently amended. Claims 2-5, 11, 31, 44-47, 53, 65-68, 74, 90-101 are canceled without prejudice or disclaimer. Claims 6-9, 12-13, 22, 42, 54-55, 69-72, 75-76 and 88 are previously presented. Claims 10, 14-21, 23-29, 33-41, 48-52, 56-63, 73, 77-87 and 89 are unchanged from the original. Applicants submit that no new matter is present in this or any other portion of the present amendment. Support for the amendment to the claim set is found throughout the specification as originally filed. More particularly, support for the recitation of "pharmaceutically acceptable salts" in claims 1, 43 and 64 is found, *inter alia*, on page 4, lines 25-26. Support for the recitation of "rheumatoid arthritis" in claim 64 is found, *inter alia*, on page 2, line 8-11, and on page 24, lines 19-20. Claim 30 has been amended to merely correct a typographical error. Claim 32 has been amended to conform to proper claim language for setting forth a Markush group. Claim 88 has been amended to focus the scope of the claim around certain preferred second therapeutic agents.

Applicants thank the Examiner for acknowledging the allowable subject matter in claims 1, 6-10, 12-30, 32-43, 48-52 and 54-63.

Reconsideration of the application is respectfully requested in view of the above amendment to the claim set and the following remarks. For the Examiner's convenience and reference, Applicants' remarks are presented in the order in which the corresponding issues were raised in the Office Action.

I. INFORMATION DISCLOSURE STATEMENT FILED JULY 11, 2003

Please note that Applicants have not received an initialed copy of the information disclosure statement (IDS) that was submitted on July 11, 2003. Applicants provide herewith a copy of the IDS, transmittal form, and filing post card showing that the IDS was mailed to the U.S.P.T.O. on July 11, 2003. Applicants respectfully request a copy of the initialed IDS form indicating that all references have been considered and made of record in the instant application.

Appl. No. 10/004,287
Amdt. dated February 27, 2004
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group

PATENT

II. REJECTION UNDER 35 U.S.C. 112 1ST PARAGRAPH

The Examiner has rejected claims 64, 69-73 and 75-91 under 35 U.S.C § 112, 1st paragraph, alleging the specification *is* enabling only for rheumatoid arthritis.

Without acquiescing to the propriety of the rejection and in an effort to further advance prosecution of this application, Applicants have amended the claim set to focus on the subject matter that is considered enabled by the Examiner. The method claims are now drawn to the treatment of rheumatoid arthritis. Applicants reserve the right to pursue the remaining (canceled) subject matter of claims 64, 69-73, 75-89 and 91 in a subsequent continuing application. In view of the amendment to the claim set, Applicants submit the basis for the rejection of the claims under 35 U.S.C. § 112 is now obviated. As such, Applicants respectfully request that the rejection of claims 64, 69-73 and 75-89 be withdrawn.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



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